that said second software can be executed using said agent parameter to control the behavior of the agent.

125.   (New) A computer readable medium for controlling a virtual agent wherein said medium provides a virtual agent having a plurality of agent parameters, said agent parameters configured to determine the behavior of said virtual agent;

wherein said agent parameters are sent to a recipient through a network using E-mail;

wherein a state of said virtual agent is set to an absent state corresponding to sending said agent parameters to said recipient; and

wherein said virtual agent is selectively displayed on the display unit according to said state, wherein said virtual agent is displayed on a display unit when said state represents other than said absent state.

REMARKS

As a preliminary matter, Applicants filed Information Disclosure Statements on September 27, 1999 and February 15, 2000. Acknowledgement thereof is respectfully requested.

Claims 1-24 and 33-66 are pending. Claims 33–48 and 50 are canceled without prejudice, claims 1–3, 49 and 51 are amended and new claims 67–125 are added.

Claims 1-24 and 33-66 stand rejected under 35 U.S.C. §103 as being unpatentable over Davies et al., U.S. Patent No. 5,931,907 ("*Davies*") in view of Brunson, U.S. Patent No. 5,647,002 ("*Brunson*"). Applicants respectfully traverse this rejection and submit that the claims are allowable for all the reasons provided below.

There is no suggestion to combine the references as suggested by the Examiner. As understood, *Davies* discloses a method of providing a virtual agent. However, the Examiner correctly states that *Davies* does not "explicitly detail the behavior of said virtual agent is continuously modified with each detected event." Office Action, p. 2, ¶2. The Examiner maintains that *Brunson* taught "an email system including Synchronization ..." Office Action, p. 2, ¶2. However, as understood, rather than teaching an E-mail system including synchronization, *Brunson* teaches automatic synchronization of the contents of "a pair of mailboxes, <u>each one resides in a different electronic messaging system</u>, are automatically synchronized ... [I]llustratively, <u>one message system may be in an e-mail system and the other messaging system may be a voice mail system</u>." *Brunson*, col 2, lines 53-58. One of ordinary skill would not find motivation within the four corners of either of these references for the combination suggested by the Examiner.

Even if it is assumed, *arguendo*, that the individual teachings of *Davies* and *Brunson* are indeed combinable, such combination does not render the claimed invention obvious. At most, the suggested combination would not teach an E-mail including synchronization, but would teach synchronizing an E-mail with a mailbox in a different messaging system.

Furthermore, the cited references do not disclose or otherwise suggest all the features of the claimed invention set forth in claim 1. Specifically, claim 1 as amended recites the agent parameters controlling the behavior of an agent delivering an E-mail <u>are appended to the main mail text</u> having an appended mail header, the <u>agent parameters are responsive to a send command</u> designating the transmission of the E-

mail for transmission to a recipient in combination with an <u>E-mail of a pre-set illustrative</u> <u>sentence</u> sent by the agent <u>to a user of the agent</u>, among other features. In view of the failure of the cited references to teach or suggest all of the features of claim 1 as amended, claim 1 is believed allowable over the cited references.

Claims 2 and 3, which depend from claim 1, recite additional features and are allowable for the reason discussed above with respect to claim 1.

Davies, alone or in combination with *Brunson*, does not disclose or otherwise suggest all the features of the claimed invention set forth in claim 4. Specifically, claim 4 recites the agent parameters controlling the behavior of an agent delivering an E-mail <u>are appended to the main mail text</u> having an appended mail header, <u>responsive to a</u> <u>send command</u> designating the transmission of the E-mail, for transmission to a recipient in combination with an <u>E-mail of a pre-set illustrative sentence</u> transmitted by the agent to a recipient, among other features. In view of the failure of the cited references to teach or suggest all the features of claim 4, claim 4 is believed allowable over the cited references.

Claim 5 depends from claim 4 and is allowable for the reason discussed above with respect to claim 4.

Davies, alone or in combination with *Brunson*, does not disclose or otherwise suggest all the features of the claimed invention set forth in claim 6. Specifically, claim 6 recites the agent parameters controlling the behavior of an agent delivering an E-mail <u>are appended to the main mail text</u> having an appended mail header, <u>responsive to a</u> <u>send command</u> designating the transmission of the E-mail, for transmission to a recipient in combination with an <u>E-mail of a pre-set illustrative sentence</u> sent by the

agent to the user or to the recipient, among other features. In view of the failure of the cited references to teach or suggest all the features of claim 6, claim 6 is believed allowable.

Claims 7 and 8, which depend directly or indirectly from claim 6, recite additional features and are allowable for all the reasons discussed above with respect to claim 6.

Davies, alone or in combination with Brunson, does not disclose or otherwise suggest all the features of the claimed invention set forth in claim 9. Specifically, claim 9 recites mail transmission means controlled by the agent manager upon acceptance by the send command accepting means of a send command which designates transmission of an E-mail for appending the agent parameters to the main mail text having an appended mail header for transmitting an E-mail to a recipient in combination with the agent manager which modifies the agent parameters responsive to the contents of experiences reflecting the operating hysteresis for the agent to voluntarily send to the user an E-mail of an illustrative sentence pre-set by the agent, among other features. In view of the failure of the cited references to teach or suggest all the features of claim 9, claim 9 is believed allowable.

Claims 10 and 11, which depend from claim 9, directly or indirectly, recite additional features and are allowable for all the reasons discussed above.

Davies, alone or in combination with Brunson, does not disclose or otherwise suggest all the features of the claimed invention set forth in claim 12. Specifically, claim 12 recites the mail transmission means controlled by the agent manager upon acceptance by the send command accepting means of a send command which designates the transmission of an E-mail for appending the agent parameters to the

main mail text having an appended mail header, for sending an E-mail to a recipient in combination with the agent manager which modifies the agent parameters responsive to the contents of experiences reflecting the operating hysteresis for the agent to voluntarily send to the recipient an E-mail of an illustrative sentence pre-set by the agent, among other features. In view of the failure of the cited references to teach or suggest all the features of claim 12, claim 12 is believed allowable over the cited references.

Claim 13 depends from claim 12 and recites additional features. Claim 13 is believed allowable for the reasons discussed above with respect to claim 12.

Davies, alone or in combination with *Brunson*, does not disclose or otherwise suggest all the features of the claimed invention set forth in claim 14. Specifically, claim 14 recites the mail transmission means controlled by the agent manager upon acceptance by the send command accepting means of a send command which designates the transmission of an E-mail, the mail sending means appending the agent parameters to the main mail text having an appended mail header, for sending an E-mail to a recipient in combination with the agent manager which modifies the agent parameters responsive to the contents of experiences reflecting the operating hysteresis for the agent for voluntarily sending to the user or recipient an E-mail of an illustrative sentence pre-set by the agent, among other features. In view of the failure of the cited references to teach or suggest all the features of claim 14, the claimed invention is believed allowable over the cited references.

Claims 15 and 16, which depend from claim 14 directly or indirectly, recite additional features and are allowable for the reason discussed above with respect to claim 14.

Davies, alone or in combination with *Brunson*, does not disclose or otherwise suggest all the features of the claimed invention set forth in claim 17. Specifically, claim 17 recites <u>a plurality of agent parameters are appended to the main mail text</u> having an appended mail header <u>responsive to a send command</u> for designating the transmission of an E-mail in combination with a control procedure performed for automatic transmission by the agent of an <u>E-mail of a pre-set illustrative sentence</u> based on the agent parameters to the user. In view of the failure of the cited references to teach or suggest all the features of claim 17, the claimed invention is believed allowable over the cited references.

Claims 18 and 19, which depend from claim 17 directly or indirectly, recite additional features and are allowable for the reason discussed above with respect to claim 17.

Davies, alone or in combination with *Brunson*, does not disclose or otherwise suggest all the features of the claimed invention set forth in claim 20. Specifically, claim 20 recites <u>a plurality of agent parameters are appended to the main mail text</u> having an appended mail header <u>responsive to a send command</u> for designating the transmission of an E-mail, in combination with a control procedure performed for automatic transmission by the agent of an <u>E-mail of a pre-set illustrative sentence</u> based on the agent parameters to the user or to a recipient, among other features. In view of the

failure of the cited references to teach or suggest the features of claim 20, the claimed invention is believed allowable over the cited references.

Claim 21 depends from claim 20 and Is believed allowable for the reason discussed above with respect thereto.

Davies, alone or in combination with *Brunson*, does not disclose or otherwise suggest all the features of the claimed invention set forth in claim 22. Specifically, claim 22 recites <u>a plurality of agent parameters are appended to the main mail text</u> having an appended mail header <u>responsive to a send command</u> for designating the transmission of an E-mail, in combination with the agent randomly selecting the user or a recipient based on the agent parameters for voluntarily sending an <u>E-mail of a pre-set illustrative sentence</u>, among other features. In view of the failure of the cited references to teach or suggest all the features of claim 22, the claimed invention is believed allowable over the cited references.

Claims 23 and 24, which depend directly or indirectly from claim 22, recite additional features and are believed allowable for all the reason discussed above.

Claims 33 through 48 are cancelled without prejudice. The 35 U.S.C. §103 rejection of those claims is therefore moot.

Davies, alone or in combination with *Brunson*, does not disclose or otherwise suggest all the features of the claimed invention set forth in claim 49. Specifically, claim 49 as amended recites the combination of <u>displaying the virtual agent</u> on a display unit, <u>interacting with the virtual agent</u>, <u>positioning at least a portion of the display</u> of the input device over <u>the virtual agent</u> on the display unit, <u>detecting an input signal</u> from the input device and <u>modifying the agent parameters</u>, among other features. In view of the failure

of the cited references to teach or suggest the features of claim 49 as amended, claim 49 is believed allowable over the cited references.

Claims 50 through 57 depend from claim 49, directly or indirectly, and recite additional features. Claims 50 through 57 are allowable for the reason discussed above with respect to claim 49.

Davies, alone or in combination with *Brunson*, does not disclose or otherwise suggest all the features of the claimed invention set forth in claim 58. Specifically, claim 58 recites appending a plurality of agent parameters to <u>the main mail text of the E-mail</u> in combination with <u>automatically returning an indication</u> when the recipient has received the E-mail, among other features. In view of the failure of the cited references to teach or suggest all the features of claim 58, claim 58 is believed allowable over the cited references.

Claims 59 through 66, which depend from claim 58, directly or indirectly, recite additional features and are allowable for all the reasons discussed above with respect to claim 58.

New independent claims 67 and 69 recite displaying the virtual agent on a display unit, interacting with the virtual agent, positioning at least a portion of the display of the input device over the virtual agent on the display unit, detecting an input signal from the input device and modifying the agent parameters, among other features. New claims 68 and 70 recite appending a plurality of agent parameters to the main mail text of the E-mail in combination with automatically returning an indication when the recipient has received the E-mail, among other features.

New independent claims 71, 112 and 119 recite storing a first image data of the first agent and second image data of a second agent among other features. New independent claims 77, 113 and 120 recite storing a first parameter in a first storage device and transferring the first parameter from the first storage device to a first memory. New independent claims 83, 114 and 121 recite a first computer sending and receiving a first agent parameter. New independent claims 93, 115 and 122 recite updating a plurality of first agent parameters based on a current first agent parameter in combination with an interaction between a first virtual agent, a second virtual agent and an operator. New independent claims 99, 116 and 123 recite randomly generating an agent parameter which is configured to determine a behavior of an agent. New independent claims 105, 117 and 124 recite storing a first agent software, executing the first agent software using an agent parameter in combination with sending the agent parameter using an E-mail to a remote computer storing a second agent software which is substantially similar to the first agent software so that the second software can be executed using the agent parameter. New independent claims 107, 118 and 125 recite providing a virtual agent having a plurality of agent parameters, sending the agent parameters to a recipient through a network using an e-mail in combination with setting the virtual agent to an absent state.

As understood, none of the cited references disclose or otherwise suggest the claimed inventions as set forth in new independent claims 67 - 71, 71, 77, 83, 93, 99, 105, 107 and 112-125 and dependent claims 72-76, 78-82, 84-92, 94-98, 100-104, 106 and 108-111 are allowable.

Applicants respectfully request that the Amendments be entered as provided above. Applicants respectfully submit that the independent claims, as well as all claims which depend therefrom, are novel and non-obvious over the prior art of record. Accordingly, Applicants respectfully request that all such pending claims be deemed allowable at this time.

If any fees are due in connection with this application as a whole, the office is authorized to deduct said fees from Deposit Account 02-1818. If such a withdrawal is made, please indicate the Attorney Docket No. (0112857-118) on the account statement.

Respectfully submitted,

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